

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
CENTRAL DIVISION

CIVIL ACTION NO.: 04-40113-FDS

ELIZABETH R. STEFFENBERG,)

(Christine S. Collins BBO#639293)

Plaintiff,)

v.)

T. GENE GILMAN, STEVEN GILMAN,)

THE GILMAN INSURANCE)

AGENCY, INC., DAVID M. SCOLL,)

ARBOR SECURITIES, LTD.,)

ALLIANCE INVESTMENT)

MANAGEMENT, COMMONWEALTH)

FINANCIAL HOLDINGS INC.,)

FINANCIAL LINKS, INC.,)

T. GILMAN & CO., LTD.,)

AVIVA LIFE INSURANCE COMPANY,)

TRADETEK, LTD., and)

TRADETEK, LLC,)

Defendants.)

AFFIDAVIT OF CHRISTINE S. COLLINS, ESQUIRE

I, Christine S. Collins, Esquire, depose and state as follows:

1. I am an attorney in good standing, practicing with the law firm of Bowditch & Dewey, LLP, in Worcester, Massachusetts. Bowditch & Dewey, LLP represents the Plaintiff Elizabeth R. Steffenberg.

2. I am personally familiar with the history of the course of this litigation, including all of the pertinent pleadings and filings.

3. Mrs. Steffenberg initiated this action against The Gilman Insurance Agency, Inc. in Worcester Superior Court on or about December 31, 2003.

4. The Gilman Insurance Agency, Inc. was served with a copy of the Summons and Complaint on January 30, 2004.

5. On or about March 19, 2004, Gilman, Defendants Steven Gilman, the Gilman Insurance Agency, Inc., Arbor Securities, Commonwealth Financial Holdings Inc., T. Gilman & Co., Ltd., and Tradetek were served with a copy of the First Amended Verified Complaint. Defendant Financial Links, Inc. was served with a copy of the First Amended Verified Complaint on March 24, 2004.

6. On or about April 23, 2004, Gilman, Defendants Steven Gilman, the Gilman Insurance Agency, Inc., Arbor Securities, Commonwealth Financial Holdings Inc., T. Gilman & Co., Ltd., and Tradetek were served with a copy of the Second Amended Verified Complaint.

7. On or about June 14, 2004, Defendant, Aviva Life Insurance Company of America, removed this action to United States District Court for the Central District of Massachusetts, Civil Action No. 04-40113-FDS.

8. Neither Gilman nor the Gilman Entities answered any complaint or amended complaint filed in this matter within the requirements of Mass. R. Civ. P. 12(a).

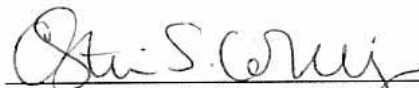
9. Accordingly, on or about November 4, 2004, this Court entered its Default Order pursuant to Mass. R. Civ. P. 55(a), a true and accurate copy of which is attached hereto as Exhibit 1.

10. I also have personal knowledge of the facts relative to the attorneys' fees and costs incurred to date in connection with the above-captioned matter. These fees and costs total \$50,002.63, and are detailed on Exhibit 2, attached to this Affidavit, which is incorporated herein by reference.

11. The charges and entries contained in Exhibit 2 have been necessarily incurred in the course of bringing this action, and have been necessarily and actually performed as stated therein.

12. The charges and entries noted on Exhibit 2 are correct through February 16, 2005. However, Ms. Steffenberg continues to accrue additional expenses and attorneys' fees because efforts to obtain relief are ongoing.

Signed under the pains and penalties of perjury this 18th day of February 2005.

A handwritten signature in cursive script, appearing to read "Christine S. Collins", is written over a horizontal line.

Christine S. Collins, BBO#639293
Attorney for Elizabeth R. Steffenberg

EXHIBIT 1

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**Elizabeth Steffenberg,
Plaintiff,**

**CIVIL ACTION
NO. 04- 40113-FDS**

V.

**T. Gene Gilman, Steven Gilman,
The Gilman Insurance Agency, Inc.,
Arbor Securities, LTD., Commonwealth
Financial Holdings Inc., Financial Links, Inc.,
T. Gilman & Co., LTD., Tradetek, LTD., and
Tradetek, LLC,
Defendants,**

NOTICE OF DEFAULT

Upon application of the Plaintiff, Elizabeth Steffenberg, for an order of default for failure of the Defendants, T. Gene Gilman, Steven Gilman, The Gilman Insurance Agency, Inc., Arbor Securities, LTD., Commonwealth Financial Holdings Inc., Financial Links, Inc., T. Gilman & Co., LTD., Tradetek, LTD., and Tradetek, LLC., to plead or otherwise defend as provided By Rule 55(a) of the Federal Rules of Civil Procedure, notice is hereby given that the defendant has been defaulted this 10th day of January 2005.

TONY ANASTAS, CLERK

By: /s/ Martin Castles
Deputy Clerk